

2007-4-008CR

In the Name and by the Authority of the State of Texas

**CHIEF LENARD JOHNSON**

Complaint: CAPITAL MURDER 19.03  
Case Number: 04-08-32174

Before me personally appeared the undersigned affiant, who after being by me duly sworn, deposes and says WINFREY, MEGAN W/M DOB: [REDACTED] TX Who is hereinafter styled defendant, on or about the 8TH DAY OF AUGUST, 2004 AD and before the making and filing of the complaint, in the County of San Jacinto and State of Texas, did then and there INTENTIONALLY CAUSE THE DEATH OF AN INDIVIDUAL NAMELY MURRAY WAYNE BURR DOB# [REDACTED] BY MULTIPLE BLUNT AND SHARP FORCE INJURIES OF THE HEAD AND NECK AND THE DEFENDANT WAS THEN AND THERE IN THE COURSE OF COMMITTING OR ATTEMPTING TO COMMIT THE OFFENSE OF ROBBERY( STOLE GUNS) OF MURRAY WAYNE BURR

As Probable Cause, Affiant states further upon his oath that:

<sup>3</sup> I have good reason to believe and do believe based upon the following information. AFFIANT WILL TESTIFY THAT (HE / SHE) IS A LICENSED TEXAS PEACE OFFICER EMPLOYED AS A DEPUTY BY THE SAN JACINTO COUNTY SHERIFF'S DEPARTMENT.

ON 08-07-04 I WAS ADVISED BY DISPATCH THAT SOMEONE HAD FOUND A WHITE MALE DEAD IN HIS HOME AT 851 WILLOW SPRING RD. I ARRIVED ON LOCATION AND MADE CONTACT WITH DEPUTY LASCO WHO ADVISED ME THAT THERE WAS A WHITE MALE IN THE BACK BED ROOM WHO APPEARED TO BE BEATEN TO DEATH. I THEN WENT INTO THE CRIME SCENE AND NOTICED THE SAME.

I AT THAT POINT MADE CONTACT WITH LT. JIM TURNER ADVISED HIM OF WHAT I HAD AND HE THEN CALLED SHERIFF ROGERS. SHERIFF ROGERS ARRIVED ON LOCATION AND MADE CONTACT WITH THE NEIGHBORS, ASKING THEM WHO HAD BEEN AT THE VICTIM HOME IN THE PAST.

HE WAS ADVISED BY A WITNESS THAT APPROX TWO WEEKS BEFORE THE MURDER HE HAD SEEN MEGAN AND RICHARD WINFREY AT THE HOME OF THE VICTIM. THE WITNESS ADVISED ROGERS THAT THE VICTIM ADVISED THEM THAT THE WINFREY KIDS WANTED TO MOVE IN WITH HIM BUT HE TOLD THEM NO.

ROGERS WAS THEN GIVEN A LIST OF PEOPLE TO INTERVIEW AND FOUND AFTER THE INTERVIEWS WERE DONE, THE WINFREY KIDS WERE THE ONLY ONES THAT HAD CAME TO THE VICTIM HOME.

ON 08-12-04, I ALONG WITH SHERIFF ROGERS WAS AT THE COLDSPRING HIGH SCHOOL, WHEN WE WERE ADVISED THAT A TEACHER BY THE NAME OF KAREN ROBERTSON WHO ADVISED US THAT THERE WERE TWO MORE TEACHERS WHO HAD INFO THAT MIGHT HELP US ON THIS CASE.

AT THAT POINT WE MADE CONTACT WITH DEBORAH GLADDEN WHO ADVISED US THAT ON 03-20-03 MEGAN WINFREY HAD ASSAULTED HER. SHE ALSO STATED THAT IN JULY 2004 SHE WAS ADVISED BY MRS. WINFREY THAT WHEN SHE ASSAULTED HER LAST YEAR SHE WISHED SHE (WINFREY) HAD A KNIFE OR A PAIR OF SCISSORS TO ASSAULT HER WITH. I THEN MADE CONTACT WITH MRS. ROBERTSON ONCE AGAIN WHO THEN ADVISED ME THAT DURING THE 2004 SUMMER SCHOOL THE VICTIM CAME BY HER ROOM WHILE WINFREY WAS IN SUMMER SCHOOL.

SHE STATED THAT WHEN WINFREY SAW THE VICTIM, SHE RAN UP TO HIM AND ASKED HIM WHEN WAS HE GOING TO TAKE HER OUT AND SPEND SOME OF HIS MONEY THAT HE HAD HID IN HIS HOUSE.

WE THEN MADE CONTACT WITH DEBRA JESSUP WHO ADVISED US THAT SHE SAW WINFREY AND THE VICTIM TALKING IN THE HALLWAY AT THE SCHOOL. SHE STATES THAT SHE WAS NOT CLOSE ENOUGH TO SEE WHAT WAS GOING ON BUT THEY LOOKED TO BE AT ODDS. SHE STATES THAT SHE GOT CLOSER, SAW THE VICTIM TURN HIS BACK AND HEARD WINFREY STATE SOMEONE NEED TO BEAT THE SHIT OUT OF HIM. SHE STATES THAT WINFREY FIST WAS CLINCHED AT THE TIME.

TEXAS RANGERS HUFF THEN HAD EVERYONE THAT WAS INTERVIEWED TAKE A SCENT PAD (D.N.A. BANDAGE) LINE UP, THIS IS DONE WITH THE USE OF A DOG (BLOOD HOUND) EACH PERSON RUBS THEIR HANDS WITH A STERILE BANDAGE AND THE ITEM IS PLACE IN A ZIP LOCK BAG ALSO A SCENT BANDAGE WAS RUB ON THE VICTIM CLOTHING AND PLACED IN A ZIP LOCK BAG.

1 Allege - "intentionally": or "knowingly": or "recklessly", etc. or combination, then CBA 00017  
2 Strike if not applicable  
3 Strike if not applicable  
4 Set forth the facts upon which the complainant bases his belief if he does not have personal

WE THEN HAD DEPUTY PICKETT OF THE FORT BEND COUNTY SHERIFF'S OFFICE BRING HIS K-9 UNIT TO OUR LOCATION. HE HAD WITH HIM TWO BLOOD HOUNDS:

1. QUINCY, DOB: [REDACTED] WITH 670 FELONY TRAIL, 25 LOST OR MISSING PERSONS, 31 PERSON LINE UP CASES 400 SCENT PAD LINE UP CASES, 5 CADAVER SEARCHES CASES
2. JAG, DOB: [REDACTED] WITH 250 FELONY TRAILS, 10 LOST OR MISSING PERSONS LINE UPS AND 60 SCENT PAD LINE UPS.

IN THE FIRST LINE UP THERE WAS 6 STERILE BANDAGES IN 6 CLOSED ZIP LOCK BAGS THE SAMPLES BELONG TO:

1. D. POE
2. C. HAMMOND
3. P. REID
4. R. WINFREY
5. H. BUNTING
6. R. HOLLMAN

HOUND #1 (QUINCY) WAS ALLOWED TO SMELL THE BANDAGE FROM THE VICTIM 'S ZIP LOCK BAG, THEN WAS WALKED BY THE 6 SAMPLES, HOUND#1 THEN ALERTED ON SAMPLE #4 BELONGING TO MR. RICHARD WINFREY JR.

HOUND #2(JAG) WAS ALLOWED TO DO THE SAME, HE ALSO ALERTED TO SAMPLE #4.

THE SECOND LINE UP ALSO HAD 6 STERILE BANDAGES IN 6 CLOSED ZIP LOCK BAGS. THE SAMPLES BELONG TO:

1. J.TYREE
2. A. DOUGHERTY
3. B.JOWERS
4. N. OLHEISE
5. M.BATES
6. MEGAN WINFREY

HOUND #1 WAS ALLOWED TO SMELL THE BANDAGE FROM THE VICTIM'S ZIP LOCK BAG, THEN WALKED BY THE 6 SAMPLES, HOUND#1 THEN ALERTED ON SAMPLE#6 BELONGING TO MEGAN WINFREY

HOUND#2 WAS ALLOWED TO DO THE SAME, HE ALSO ALERTED TO SAMPLE # 6.

AT THAT TIME BOTH HOUNDS WERE THEN TAKEN TO THE VICTIM'S HOME AT THIS POINT DEPUTY PICKETT NOR THE HOUNDS KNEW WHERE THE WINFREY KIDS LIVE OR HAD EVER BEEN IN THAT LOCATION. THE HOUNDS WERE ALLOWED TO PICK UP A SCENT FROM THE VICTIM HOME USING THE SCENT PADS THAT THEY HAD ALERTED TO. AT THAT POINT THE HOUNDS FOLLOWED A SCENT TRAIL THAT LEAD TO THE HOME OF RICHARD WINFREY JR. AND MEGAN WINFREY.

ON 06-15-06 I WAS ADVISED BY DISPATCH THAT AN INMATE AT THE MONTGOMERY COUNTY JAIL, ADVISED JAILERS WITH THAT DEPARTMENT THAT HE KNEW SOMETHING ABOUT A MURDER IN SAN JACINTO COUNTY.

I THEN MADE CONTACT WITH THAT INMATE AT THE MONTGOMERY COUNTY JAIL WHO ADVISED ME THAT HE WAS IN THE SAME TANK WITH A SUBJECT WHO ADVISED HIM THAT HE HAD KILLED A SUBJECT BY THE NAME OF MURRAY BURR HE ADVISED ME THAT THIS SUBJECT NAME IS RICHARD WINFREY [REDACTED] I THEN ADVISED HIM THAT I WOULD BE BACK AT A LATER DATE SO I COULD GET AN OFFICIAL STATEMENT FROM HIM.

AFTER FOLLOWING OTHER LEADS ON THIS CASE I RETURNED ON 07-14-06 ALONG WITH SHERIFF'S LACY ROGERS AT THIS POINT I ADVISED THE SUBJECT THAT WE WERE THERE FOR THE OFFICIAL STATEMENT. HE ADVISED US THAT HE WAS IN JAIL WITH RICHARD WINFREY; WINFREY ADVISED HIM THAT HE HAD KILLED A MAN IN OUR COUNTY.

I ASKED THE SUBJECT WHAT WAS THE NAME OF THE VICTIM HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT THE VICTIM NAME WAS MURRAY BURR. HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT HE CAME IN THE BACK OF THE HOUSE AFTER THE CHILDREN OF RICHARD WINFREY (MEGAN WINFREY, RICHARD WINFREY JR) LET HIM IN.

HE ADVISED ME THAT THE VICTIM WAS SITTING IN THE FRONT ROOM WHEN THE KILLING TOOK PLACE. HE ADVISED ME THAT HE WAS TOLD BY MR. WINFREY THAT HE HAD BEAT THE SUBJECT UP BAD AND CUT HIS NECK. HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT HE HAD STOLEN TWO GUNS OUT OF THE HOUSE.

HE THEN ADVISED ME THAT MR. WINFREY TOLD HIM THAT HE HAD HID THE GUNS AND A BUCK KNIFE THAT WAS USED IN THE CRIME IN AN HOLLOW NEAR THE CRIME SCENE. HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT THEY RAN FOXES OR COYOTE WITH DOGS NEAR THE HOLLOW WHERE HE HID THE ITEMS. ON 07-20-06, SHERIFF ROGERS

1 Allege - "intentionally"; or "knowingly"; or "recklessly", etc. or combination, then offense  
2 Strike if not applicable  
3 Strike if not applicable  
4 Set forth the facts upon which the complainant bases his belief if he does not have personal knowledge.

CDA 00018

ADVISED ME THAT HE ONLY KNEW ABOUT ONE PLACE WHERE THEY RAN FOXES, HE ADVISED ME THAT THE PROPERTY WAS OWNED BY JOYCE BERRY THE MOTHER OF RICHARD WINFREY.

I THEN WAS ADVISED BY ROGERS THAT THOMAS C. WINFREY OWNED PART OF THE PROPERTY WHERE THEY RAN THE FOXES. I ALONG WITH SHERIFF ROGERS AND DET. MACIAS WENT TO PROPERTY BEHIND THE WINFREY LOCATION AND NOTICE WHAT WE WOULD CALL A HOLLOW ON THE PROPERTY BELONGING TO JOYCE BERRY AND THOMAS WINFREY.

ON 07-24-06 I MADE CONTACT WITH VELMA OATES THE SISTER OF THE VICTIM, ASKED HER IF HER BROTHER HAD ANY GUNS AT HIS LOCATION, SHE ADVISED ME THAT HER HUSBAND (JESSE) HAD ADVISED HER THAT THE VICTIM HAD TWO GUNS (SINGLE SHOT SHOTGUN//.22 SEMI AUTO GLENFIELD OR MARLIN). SHE ADVISED ME THAT THE GUNS WERE MISSING; SHE ADVISED ME THAT THEY WERE NOT THERE WHEN SHE HELPED CLEAN UP THE VICTIM HOME AFTER THE CRIME.

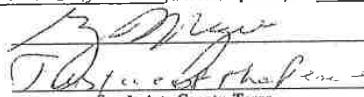
LAW ENFORCEMENT WAS NOT AWARE OF WEAPONS BEING STOLEN FROM THE BURR RESIDENT AT THE TIME OF THE MURDER. LAW ENFORCEMENT FIRST LEARNED OF THE MISSING WEAPONS WHILE CONDUCTING THE INTERVIEW WITH RICHARD WINFREY SR. CELL MATE IN MONTGOMERY COUNTY JAIL.

LAW ENFORCEMENT CONFIRMED THIS INFORMATION IN A FOLLOW UP INVESTIGATION DONE ON JULY 24 2006.

I ADVISED SHERIFF ROGERS THAT THE PUBLIC COULD NOT HAVE KNOW THAT THE KILLING STARTED IN THE FRONT ROOM, THAT THERE WAS A HOLLOW ON THE PROPERTY WHERE THE SUSPECT LIVED AND THAT WEAPONS WHERE STOLEN FROM THE VICTIM HOME.

  
Affiant

Sworn and Subscribed before me by Leonard Johnson, a credible person, this 2<sup>nd</sup> day of February, 2007 A.D.

  
B. Mager  
FBI - Houston  
San Jacinto County, Texas

\*\*\*\*\* ORDER \*\*\*\*\*  
On this 2 day of February, 2007, the above matter was presented and appeared before me and after examining the same, it is found that:  
NO probable cause exists.

Probable cause exists. It is Ordered that A WARRANT SHALL BE ISSUED FOR THE ARREST OF THE DEFENDANT. Witness my signature this 2 day of February, 2007

  
B. Mager  
FBI - Houston  
MAGISTRATE



THE STATE OF TEXAS  
VS  
RICHARD WINFREY  
WINFREY ROAD  
COLDSPRING, TX 77331  
DOB# [REDACTED]

**COPY**

WARRANT OF ARREST

JUSTICE OF THE PEACE  
PRECINCT 4  
SAN JACINTO COUNTY, TEXAS

CASE NUMBER: 2007-4-0010CR  
ISSUED 02/02/2007



To Any Peace Officer of the State of Texas, GREETINGS

YOU ARE HEREBY COMMANDED to arrest RICHARD WINFREY if to be found in your county and bring Him before me, Greg Magee, Justice of the Peace, Precinct 4, in and for San Jacinto County, Texas at my office at 221 Boat Launch Road, in Point Blank, Texas, in said County forthwith then and there to answer to the State of Texas for an offense against the laws of said State, to-wit: CAPITAL MURDER of which RICHARD WINFREY, is accused by the written complaint, under oath of Officer JOHNSON, LENARD filed before me.

Herein fail not, but have you then and there this writ with your return, showing how you have executed the same.

WITNESS my hand, on this February 2, 2007.



Greg Magee  
Justice of the Peace, Pct 4  
San Jacinto County, Texas  
Recommended Bond  
\$1,000,000

OFFICER'S RETURN

Came to hand the 26 day of March, A.D. 2007, at 9<sup>00</sup> o'clock A M and executed the 26 day of March, A.D. 2007, by arresting the with in named RICHARD LYNN WINFREY at PDC - Gibb Lewis Unit in Tyler County, Texas and taking \$                    bond, which herewith returned, \*placing the Defendant in the County Jail at                    County, Texas.

I actually and necessarily traveled            miles in the service of this Writ, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

FEES:

Making Arrest	\$ <u>                  </u>
Mileage	\$ <u>                  </u>
Taking Bond	\$ <u>                  </u>
Commitment	\$ <u>                  </u>
Release	\$ <u>                  </u>
Total	\$ <u>                  </u>

Arresting Officer  
San Jacinto  
County, Texas  
District Attorney's Office  
Agency

2007-4-0 CCR

In the Name and by the Authority of the State of Texas

**CHIEF LENARD JOHNSON**

Complaint: CAPITAL MURDER 19.03  
Case Number: 04-08-32174

Before me personally appeared the undersigned affiant, who after being by me duly sworn, deposes and says WINFREY, RICHARD W/M DOB: [REDACTED] Who is hereinafter styled defendant, on or about the 8TH DAY OF AUGUST, 2004 AD and before the making and filing of the complaint, in the County of San Jacinto and State of Texas, did then and there INTENTIONALLY CAUSE THE DEATH OF AN INDIVIDUAL NAMELY MURRAY WAYNE BURR BY MULTIPLE BLUNT AND SHARP FORCE INJURIES OF THE HEAD AND NECK AND THE DEFENDANT WAS THEN AND THERE IN THE COURSE OF COMMITTING OR ATTEMPTING TO COMMIT THE OFFENSE OF ROBBERY( STOLE GUNS) OF MURRAY WAYNE BURR

As Probable Cause, Affiant states further upon his oath that:

<sup>3</sup> I have good reason to believe and do believe based upon the following information.  
AFFIANT WILL TESTIFY THAT (HE / SHE ) IS A LICENSED TEXAS PEACE OFFICER EMPLOYED AS A DEPUTY BY THE SAN JACINTO COUNTY SHERIFF'S DEPARTMENT.

ON 08-07-04 I WAS ADVISED BY DISPATCH THAT SOMEONE HAD FOUND A WHITE MALE DEAD IN HIS HOME AT 851 WILLOW SPRING RD. I ARRIVED ON LOCATION AND MADE CONTACT WITH DEPUTY LASCO WHO ADVISED ME THAT THERE WAS A WHITE MALE IN THE BACK BED ROOM WHO APPEARED TO BE BEATEN TO DEATH. I THEN WENT INTO THE CRIME SCENE AND NOTICED THE SAME.

I AT THAT POINT MADE CONTACT WITH LT. JIM TURNER ADVISED HIM OF WHAT I HAD AND HE THEN CALLED SHERIFF ROGERS. SHERIFF ROGERS ARRIVED ON LOCATION AND MADE CONTACT WITH THE NEIGHBORS, ASKING THEM WHO HAD BEEN AT THE VICTIM HOME IN THE PAST.

HE WAS ADVISED BY A WITNESS THAT APPROX TWO WEEKS BEFORE THE MURDER HE HAD SEEN MEGAN AND RICHARD WINFREY AT THE HOME OF THE VICTIM. THE WITNESS ADVISED ROGERS THAT THE VICTIM ADVISED THEM THAT THE WINFREY KIDS WANTED TO MOVE IN WITH HIM BUT HE TOLD THEM NO.

ROGERS WAS THEN GIVEN A LIST OF PEOPLE TO INTERVIEW AND FOUND AFTER THE INTERVIEWS WERE DONE, THE WINFREY KIDS WERE THE ONLY ONES THAT HAD CAME TO THE VICTIM HOME.

ON 08-12-04, I ALONG WITH SHERIFF ROGERS WAS AT THE COLDSPRING HIGH SCHOOL, WHEN WE WERE ADVISED THAT A TEACHER BY THE NAME OF KAREN ROBERTSON WHO ADVISED US THAT THERE WERE TWO MORE TEACHERS WHO HAD INFO THAT MIGHT HELP US ON THIS CASE.

AT THAT POINT WE MADE CONTACT WITH DEBORAH GLADDEN WHO ADVISED US THAT ON 03-20-03 MEGAN WINFREY HAD ASSAULTED HER. SHE ALSO STATED THAT IN JULY 2004 SHE WAS ADVISED BY MRS. WINFREY THAT WHEN SHE ASSAULTED HER LAST YEAR SHE WISHED SHE (WINFREY) HAD A KNIFE OR A PAIR OF SCISSORS TO ASSAULT HER WITH. I THEN MADE CONTACT WITH MRS. ROBERTSON ONCE AGAIN WHO THEN ADVISED ME THAT DURING THE 2004 SUMMER SCHOOL THE VICTIM CAME BY HER ROOM WHILE WINFREY WAS IN SUMMER SCHOOL.

SHE STATED THAT WHEN WINFREY SAW THE VICTIM, SHE RAN UP TO HIM AND ASKED HIM WHEN WAS HE GOING TO TAKE HER OUT AND SPEND SOME OF HIS MONEY THAT HE HAD HID IN HIS HOUSE.

WE THEN MADE CONTACT WITH DEBRA JESSUP WHO ADVISED US THAT SHE SAW WINFREY AND THE VICTIM TALKING IN THE HALLWAY AT THE SCHOOL. SHE STATES THAT SHE WAS NOT CLOSE ENOUGH TO SEE WHAT WAS GOING ON BUT THEY LOOKED TO BE AT ODDS. SHE STATES THAT SHE GOT CLOSER, SAW THE VICTIM TURN HIS BACK AND HEARD WINFREY STATE SOMEONE NEED TO BEAT THE SHIT OUT OF HIM. SHE STATES THAT WINFREY FIST WAS CLINCHED AT THE TIME.

TEXAS RANGERS HUFF THEN HAD EVERYONE THAT WAS INTERVIEWED TAKE A SCENT PAD (D.N.A, BANDAGE) LINE UP, THIS IS DONE WITH THE USE OF A DOG (BLOOD HOUND) EACH PERSON RUBS THEIR HANDS WITH A STERILE BANDAGE AND THE ITEM IS PLACE IN A ZIP LOCK BAG ALSO A SCENT BANDAGE WAS RUB ON THE VICTIM CLOTHING AND PLACED IN A ZIP LOCK BAG.

1 Allege - "intentionally": or "knowingly": or "recklessly", etc. or combination, then offense.

2 Strike if not applicable

3 Strike if not applicable

4 Set forth the facts upon which the complainant bases his belief if he does not have personal knowledge.

WE THEN HAD DEPUTY PICKETT OF THE FORT BEND COUNTY SHERIFF'S OFFICE BRING HIS K-9 UNIT TO OUR LOCATION. HE HAD WITH HIM TWO BLOOD HOUNDS:

1. QUINCY, DOB#02-26-97, WITH 670 FELONY TRAIL, 25 LOST OR MISSING PERSONS, 31 PERSON LINE UP CASES 400 SCENT PAD LINE UP CASES, 5 CADAVER SEARCHES CASES
2. JAG, DOB#01-29-00, WITH 250 FELONY TRAILS, 10 LOST OR MISSING PERSONS LINE UPS AND 60 SCENT PAD LINE UPS.

IN THE FIRST LINE UP THERE WAS 6 STERILE BANDAGES IN 6 CLOSED ZIP LOCK BAGS THE SAMPLES BELONG TO:

1. D. POE
2. C. HAMMOND
3. P. REID
4. R. WINFREY
5. H. BUNTING
6. R. HOLLMAN

HOUND #1 (QUINCY) WAS ALLOWED TO SMELL THE BANDAGE FROM THE VICTIM 'S ZIP LOCK BAG, THEN WAS WALKED BY THE 6 SAMPLES, HOUND#1 THEN ALERTED ON SAMPLE #4 BELONGING TO MR. RICHARD WINFREY JR.

HOUND #2(JAG) WAS ALLOWED TO DO THE SAME, HE ALSO ALERTED TO SAMPLE #4.

THE SECOND LINE UP ALSO HAD 6 STERILE BANDAGES IN 6 CLOSED ZIP LOCK BAGS. THE SAMPLES BELONG TO:

1. J.TYREE
2. A. DOUGHERTY
3. B.JOWERS
4. N. OLHEISE
5. M.BATES
6. MEGAN WINFREY

HOUND #1 WAS ALLOWED TO SMELL THE BANDAGE FROM THE VICTIM'S ZIP LOCK BAG, THEN WALKED BY THE 6 SAMPLES, HOUND#1 THEN ALERTED ON SAMPLE#6 BELONGING TO MEGAN WINFREY

HOUND#2 WAS ALLOWED TO DO THE SAME, HE ALSO ALERTED TO SAMPLE # 6.

AT THAT TIME BOTH HOUNDS WERE THEN TAKEN TO THE VICTIM'S HOME AT THIS POINT DEPUTY PICKETT NOR THE HOUNDS KNEW WHERE THE WINFREY KIDS LIVE OR HAD EVER BEEN IN THAT LOCATION. THE HOUNDS WERE ALLOWED TO PICK UP A SCENT FROM THE VICTIM HOME USING THE SCENT PADS THAT THEY HAD ALERTED TO. AT THAT POINT THE HOUNDS FOLLOWED A SCENT TRAIL THAT LEAD TO THE HOME OF RICHARD WINFREY JR. AND MEGAN WINFREY.

ON 06-15-06 I WAS ADVISED BY DISPATCH THAT AN INMATE AT THE MONTGOMERY COUNTY JAIL, ADVISED JAILERS WITH THAT DEPARTMENT THAT HE KNEW SOMETHING ABOUT A MURDER IN SAN JACINTO COUNTY.

I THEN MADE CONTACT WITH THAT INMATE AT THE MONTGOMERY COUNTY JAIL WHO ADVISED ME THAT HE WAS IN THE SAME TANK WITH A SUBJECT WHO ADVISED HIM THAT HE HAD KILLED A SUBJECT BY THE NAME OF MURRAY BURR HE ADVISED ME THAT THIS SUBJECT NAME IS RICHARD WINFREY (DOB#09-24-54). I THEN ADVISED HIM THAT I WOULD BE BACK AT A LATER DATE SO I COULD GET AN OFFICIAL STATEMENT FROM HIM.

AFTER FOLLOWING OTHER LEADS ON THIS CASE I RETURNED ON 07-14-06 ALONG WITH SHERIFF'S LACY ROGERS AT THIS POINT I ADVISED THE SUBJECT THAT WE WERE THERE FOR THE OFFICIAL STATEMENT. HE ADVISED US THAT HE WAS IN JAIL WITH RICHARD WINFREY; WINFREY ADVISED HIM THAT HE HAD KILLED A MAN IN OUR COUNTY.

I ASKED THE SUBJECT WHAT WAS THE NAME OF THE VICTIM HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT THE VICTIM NAME WAS MURRAY BURR. HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT HE CAME IN THE BACK OF THE HOUSE AFTER THE CHILDREN OF RICHARD WINFREY (MEGAN WINFREY, RICHARD WINFREY JR) LET HIM IN.

HE ADVISED ME THAT THE VICTIM WAS SITTING IN THE FRONT ROOM WHEN THE KILLING TOOK PLACE. HE ADVISED ME THAT HE WAS TOLD BY MR. WINFREY THAT HE HAD BEAT THE SUBJECT UP BAD AND CUT HIS NECK. HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT HE HAD STOLEN TWO GUNS OUT OF THE HOUSE.

HE THEN ADVISED ME THAT MR. WINFREY TOLD HIM THAT HE HAD HID THE GUNS AND A BUCK KNIFE THAT WAS USED IN THE CRIME IN AN HOLLOW NEAR THE CRIME SCENE. HE ADVISED ME THAT MR. WINFREY TOLD HIM THAT THEY RAN FOXES OR COYOTE WITH DOGS NEAR THE HOLLOW WHERE HE HID THE ITEMS. ON 07-20-06, SHERIFF ROGERS

1 Allege - "intentionally": or "knowingly": or "recklessly", etc. or combination, then offense.

2 Strike if not applicable

3 Strike if not applicable

4 Set forth the facts upon which the complainant bases his belief if he does not have personal knowledge.

ADVISED ME THAT HE ONLY KNEW ABOUT ONE PLACE WHERE THEY RAN FOXES, HE ADVISED ME THAT THE PROPERTY WAS OWNED BY JOYCE BERRY THE MOTHER OF RICHARD WINFREY.

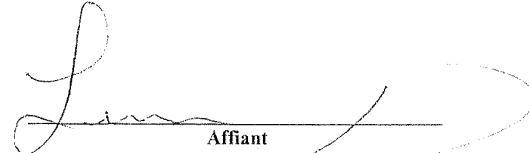
I THEN WAS ADVISED BY ROGERS THAT THOMAS C. WINFREY OWNED PART OF THE PROPERTY WHERE THEY RAN THE FOXES. I ALONG WITH SHERIFF ROGERS AND DET. MACIAS WENT TO PROPERTY BEHIND THE WINFREY LOCATION AND NOTICE WHAT WE WOULD CALL A HOLLOW ON THE PROPERTY BELONGING TO JOYCE BERRY AND THOMAS WINFREY.

ON 07-24-06 I MADE CONTACT WITH VELMA OATES THE SISTER OF THE VICTIM, ASKED HER IF HER BROTHER HAD ANY GUNS AT HIS LOCATION, SHE ADVISED ME THAT HER HUSBAND (JESSE) HAD ADVISED HER THAT THE VICTIM HAD TWO GUNS (SINGLE SHOT SHOTGUN//. 22 SEMI AUTO GLENFIELD OR MARLIN). SHE ADVISED ME THAT THE GUNS WERE MISSING; SHE ADVISED ME THAT THEY WERE NOT THERE WHEN SHE HELPED CLEAN UP THE VICTIM HOME AFTER THE CRIME.

LAW ENFORCEMENT WAS NOT AWARE OF WEAPONS BEING STOLEN FROM THE BURR RESIDENT AT THE TIME OF THE MURDER. LAW ENFORCEMENT FIRST LEARNED OF THE MISSING WEAPONS WHILE CONDUCTING THE INTERVIEW WITH RICHARD WINFREY SR. CELL MATE IN MONTGOMERY COUNTY JAIL.

LAW ENFORCEMENT CONFIRMED THIS INFORMATION IN A FOLLOW UP INVESTIGATION DONE ON JULY 24 2006.

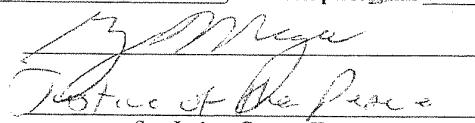
I ADVISED SHERIFF ROGERS THAT THE PUBLIC COULD NOT HAVE KNOW THAT THE KILLING STARTED IN THE FRONT ROOM, THAT THERE WAS A HOLLOW ON THE PROPERTY WHERE THE SUSPECT LIVED AND THAT WEAPONS WHERE STOLEN FROM THE VICTIM HOME.



A handwritten signature in black ink, appearing to read "Leonard Johnson".

Affiant

Sworn and Subscribed before me by Leonard Johnson, a credible person, this 2nd day of February, 2007 A.D.



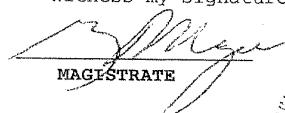
A handwritten signature in black ink, appearing to read "Greg Mager".

San Jacinto County, Texas

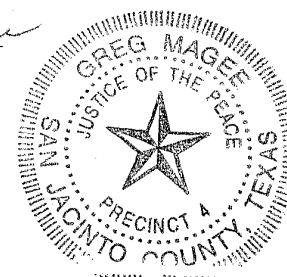
\*\*\*\*\* ORDER \*\*\*\*\*

On this 2nd day of February, 2007, the above matter was presented and appeared before me and after examining the same, it is found that:  
NO probable cause exists.

Probable cause exists. It is Ordered that A WARRANT SHALL BE ISSUED FOR THE ARREST OF THE DEFENDANT. Witness my signature this 2nd day of February, 2007.



A handwritten signature in black ink, appearing to read "Greg Mager".



Justice of the Peace

OFFICE

1 Allege - "intentionally": or "knowingly": or "recklessly", etc. or combination, then offense.  
2 Strike if not applicable  
3 Strike if not applicable  
4 Set forth the facts upon which the complainant bases his belief if he does not have personal knowledge.